

**MINUTES
TOWN OF EDGEWOOD
REGULAR COUNCIL MEETING – JUNE 4, 2008 @ 6:30 P.M.
EDGEWOOD COMMUNITY CENTER - #27 E. FRONTAGE ROAD**

1. CALL TO ORDER.

Mayor Stearley called the meeting to order @ 6:30 P.M.

All Councilors were present with the exception of Councilor Simmons.

Also present were Ms. Karen Mahalick, Manager, Planning & Zoning, and Ms. Estefanie Muller, Acting Administrator Clerk-Treasurer.

2. PLEDGE OF ALLEGIANCE.

3. APPROVAL OF AGENDA.

MOTION: Councilor Felton made a motion to approve the Agenda as presented. Councilor Hill seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Felton voted aye. Councilor Hill voted aye. The motion carried.

4. MATTERS FROM THE MAYOR.

Site Plan for Section 16.

Mayor Stearley discussed the possibility of placing the Regional Animal Shelter at this location. He stated that at his meeting with Commissioner Brasher and Bernalillo County Manager Thaddeus Lucero the Commissioner volunteered to take the lead in the development of the facility, as they would have the most need. Bernalillo County will host any upcoming meetings concerning a Regional Animal Shelter.

Mayor Stearley discussed the placing of a Public Safety Building at Section 16.

Mayor Stearley discussed the \$15,000.00 in the budget for the Town of Edgewood events.

A. Approval of the Request for Town of Edgewood Promotional Funds.

Mayor Stearley discussed the requests for promotional funds that the Town receives and a draft format that would be submitted along with the request.

B. Lone Pine Ridge – Section 16.

Mayor Stearley discussed the development East of Wal-Mart stating that he had talked to the developer and their engineer. He stated that the Developer was looking at a cove design that would include 4 homes per acre. The Developer is asking for a sewer system

that would provide 150,000 gallon per day at build-out. The Developer would like to write up a Development Agreement that would allow them to build in phases and include a plan for how the Town would expand the sewer to accommodate each phase as well as other customers. Mayor Stearley stated that the developer would submit a development agreement for the Council to review.

Councilor Felton asked if there were any alternatives proposed for sewer treatment other than the existing plant. Mayor Stearley stated they had not discussed any but they did discuss using the Wal-Mart Plant to get some of the Businesses and the Town of Edgewood Offices hooked up.

Section 32.

Mayor Stearley stated that he signed the commercial lease on Monday June 2, 2008. He stated that he met with Ms. Luanne Hunt from SASS and informed her that since her northeast corner borders the City of Albuquerque Land that she could build a gate and that they could have direct access onto the property. Mayor Stearley discussed placing a parking lot and a trailhead on the southeast corner of Section 36.

Mayor Stearley stated that he had asked Roger Holden to talk to Santa Fe County and ask if they have any interest in partnering with the Town of Edgewood for maintenance. He stated with the signing of the lease the Town now has the right to control access to and make improvements in the fencing and drainage ways and trails and the Town of Edgewood could also patrol the section.

Athletic Fields.

Mayor Stearley stated the Town currently has a lease with the State Land Office and he has asked Roger Holden to place some baseball fields. He stated that the Town had received a letter from Mr. Oden saying that included in the Hillcrest Project are two wells that were leased to Thunder Mountain. Mr. Oden's letter also stated that this water would no longer be available to Thunder Mountain. Mayor Stearley discussed the issue of providing water to Section 16 given light of this letter from Mr. Oden. Mayor Stearley asked Council for permission to have Ms. Mahalick write a Work Order for the engineer. Mayor Stearley stated that he had spoken to Amy with State Land Office about swapping other state land for Albuquerque land.

Budget.

Mayor Stearley discussed the sewer budget with Council stating he had added \$250,000.00. Mayor Stearley discussed the budget for Municipal streets, and the MAP and Co-op programs in which the Town will match funds. He stated he has the projected increase in the revenue plan over 5 years. Mayor Stearley also reviewed the cost increase for the paving of Frost Road.

Mayor Stearley stated he hosted the Mayors Caucus Luncheon today with 8 in attendance and they discussed issues concerning municipalities.

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5. MATTERS FROM THE COUNCILORS and/or ANNOUNCEMENTS.

There were no matters from the Councilors.

6. MATTERS FROM THE ATTORNEY.

None.

7. MATTERS FROM THE MUNICIPAL JUDGE.

C. Judge White will present his report for the month of May, 2008.

Judge White reviewed his report that he presented stating that this will be in his future report. He stated that he preferred to present his monthly report personally in an effort to answer any questions from the Councilors and the audience.

8. PUBLIC SAFETY.

D. Update by Chief Welch.

Mayor Stearley stated that in the absence of the Police Chief a report is in their packet. Mayor Stearley stated two new officers were hired and in uniform and are learning the Edgewood area.

9. COMMUNITY DEVELOPMENT REPORT.

E. Impact Fee Presentation.

Ms. Mahalick gave a brief overview of New Mexico State Statutes.

Ms. Mahalick stated that the Capital Improvement Plan needs to be reviewed.

Councilor Felton asked if the Town of Edgewood was required to charge the Impact Fees.

Ms. Mahalick stated that it was not requirement. Councilor Hil stated that the fee should be somewhere along the lines of the cost of a septic system. Councilor Hill asked if there was any difficulty in managing an Impact Fee Fund. Ms. Mahalick stated there are always problems with monitoring it. Councilor Abrams asked if there was any consideration for square footage in this study for Impact Fees. Ms. Mahalick stated yes it was. Councilor Felton asked Ms. Mahalick if this would require more staff. Ms. Mahalick stated that it would require more software and that Kathy Smith would be trained. The Council discussed the costs and other concerns to scale the fees based on square footage.

Mayor Stearley requested that the re-appointment of the Planning and Zoning Commission to the Impact fee Committee be placed on the Agenda for the next Council Meeting.

F. Frost Road – Phase II.

Ms. Mahalick stated she is requesting approval for Frost Road Phase II be put out to bid. She stated that the total projected cost will be \$338,819.64 and MAP will pay \$100,000 with the Town of Edgewood paying the remaining balance of \$238,819.64.

MOTION: Councilor Abrams made a motion to move forward with the bid process for Frost Road Phase II. Councilor Felton seconded the motion.

VOTE: Councilor Hill voted aye. Councilor Felton voted aye. Councilor Abrams voted aye. The motion carried.

G. Resolution No. 2008-39 – Findings of Fact and Conclusions – Pueblo Artesanos. Ms. Mahalick stated that she had sent out some corrections to the Council by email today. Councilor Hill asked that he be recused from this vote. Ms. Muller stated that Council may want to table this item until all of the Councilors were present as it is her understanding that a vote by 3 of the governing body was required with Councilor Hill being recused and Councilor Simmons not present.

MOTION: Councilor Felton made a motion to table this item. Councilor Abrams seconded the motion.

VOTE: Councilor Hill voted aye. Councilor Felton voted aye. Councilor Abrams voted aye. The motion carried.

H. Approval of Bids for Fencing at the Wastewater Treatment Plant. Ms. Mahalick stated that the low bid came in at \$36,326.77 and she asked Council to accept this and move forward. She stated that this money could be reimbursed from State Capital Appropriations that may be expiring at the end of the fiscal year.

MOTION: Councilor Hill made a motion to approve the bid from Alarid Landscaping for \$36,624.77. Councilor Abrams seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Felton voted aye. Councilor Hill voted aye. The motion carried.

10. PARKS & RECREATION REPORT.

I. Parks & Recreation Advisory Committee Report for the month of May, 2008. Mr. Roger Holden reviewed the Parks & Recreation report for May, 2008. Mr. Holden stated that he was still asking for another bid for fencing.

J. Policy for the Community. Ms. Muller stated that in light of the new keys and the cost to re-key the Community Center she is requesting to modify the procedures and require deposits. Councilor Hill stated that this could be dealt with administratively.

11. ANIMAL CONTROL REPORT.

K. Animal Control Report for the month of May, 2008.

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Ms. Murphy reviewed the Animal Control report for the month of May, 2008. Ms. Murphy stated that the citation totals for the month of May are not listed but she can provide an attachment if requested.

Ms. Murphy stated that June was adopt a cat month. She also stated that all the pets are up on Pet-Finder and that animals are already being adopted as a result of Pet-Finder. Ms. Murphy stated that she had contacted the East Mountain Telegraph about placing a listing for Pet of the Week as another means to promote animals available for adoption.

Ms. Murphy stated that on June 15, 2008 Animal Control will be participating in the Teddy Bear Picnic for Bear Awareness and Pet Care.

Ms. Murphy stated that she was still working on permanent placement for the Cattery and it is currently being used to store dog and cat food. She stated that Wal-Mart donates any broken bags of dog and cat food to the Town and they disperse it to according to need.

12. PUBLIC COMMENTS. (Limit to 2 minutes per person).

Note: If you plan to testify under Public Hearings, please do not sign-up for the same topic.

Ms. Jo White thanked the Town of Edgewood for the Melodrama T-Shirts.

Ms. White stated that she now had a corporate sponsor that will provide the T-Shirts so the Parks & Recreation will no longer need to provide them.

Mr. Chuck Ring stated that he would like everyone to attend the Fathers Day Car Show at Valley View Christian Church. He also discussed the impact fees stating that they needed to be based on square footage. He also stated that there was already a Gross Receipts Tax that goes to pay for fire protection.

Mr. Ring stated that he feels a road should be built to allow for fire protection and a disaster plan for Section 32.

Mayor Stearley requested Mr. Roger Holden speak about the planned tree trimming for Section 32. Mr. Holden stated that the Santa Fe County Fire Department is applying for a Grant of \$50,000.00 to the State Land Office for tree thinning. He stated that the Fire Department Crew will actually do the thinning and the money should go a long way towards the thinning.

Mr. Ray Seagers commented on the Impact Fees that were discussed earlier. He stated that he felt the Gross Receipts Tax would cover the costs and that the Town may want to consider doing away with the Impact Fees.

13. APPROVAL OF PREVIOUS MINUTES.

L. Regular Council Meeting Minutes of May 21, 2008.

MOTION: Councilor Hill made a motion to approve the Minutes of May 21,

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2008. Councilor Felton seconded the motion for discussion.

Councilor Felton requested some revisions to the Minutes: Item 20 to state Mr. Fleming worked at the Air Force Research Facility instead of Sandia Labs.

Ms. Mahalick requested that the wording be corrected on the second page, Item C, paragraph 2 to read more clearly and state... Councilor Felton requested that the committee take a look at the moratorium in place and the signs around Town....

MOTION: Councilor Hill made an amendment to his motion to include the revisions to the Minutes of May 21, 2008. Councilor Felton seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Felton voted aye. Councilor Hill voted aye. The motion carried.

M. Planning & Zoning Commission Meeting Minutes of May 19, 2008.

MOTION: Councilor Felton made a motion to acknowledge receipt of the Planning & Zoning Minutes of May 19, 2008. Councilor Abrams seconded the motion.

VOTE: Councilor Hill voted aye. Councilor Felton voted aye. Councilor Abrams voted aye. The motion carried.

14. PUBLIC HEARING.

Legislative Procedure: Certification that Public Notice of this Meeting has been posted as required. Ms. Muller affirmed that Public Notice was posted.

N. Ordinance No. 2008-01 – Adoption of the New Mexico Uniform Traffic Ordinance by Reference.

MOTION: Councilor Felton made a motion to adopt Ordinance No. 2008-01 the New Mexico Uniform Traffic Ordinance by Reference. Councilor Hill seconded for Public Comment.

VOTE: Councilor Abrams voted aye. Councilor Felton voted aye. Councilor Hill voted aye. The motion carried.

Legislative Procedure: Certification that Public Notice of this Meeting has been posted as required: Note: This Hearing as advertised is continued from the Regular Council Meeting of May 27, 2008.

O. Request to amend the Zoning Ordinance No. 2003-4: Section 19.D.4 – Commercial C-1 adding a new section for Rural Residential Zoning, adding performance standards for swimming pools and adding the definition of “Building Height Measurement”.

Ms. Mahalick stated at the last Council Meeting the definition of a “Ridge Top” was requested; a ridgetop is measured horizontally from the shoulder on one side across the crest to the shoulder on the other side. The shoulder is the point where the slope changes from greater than 30% to less than 30% as the ridge reaches the crest.

Mr. Seagers stated that he had a couple of problems with this concept. He feels this will encourage cluster development and smaller lots. He also stated that he did not feel that development on ridgelines to be a problem and that may be one of the things people move here for. Mr. Seagers stated that the requirements are not clear and the developer will not be able to understand what is expected. He stated he feels that there should be some more thought put into this.

Councilor Hill asked Ms. Mahalick if this would change the existing allowance to build on ridge tops. Ms Mahalick stated that this is a completely voluntary submittal and actually creates more flexibility and creativity within the Ordinances.

MOTION: Councilor Hill made a motion to amend Zoning Ordinance No. 2003-4 Section 19.D.4 adding the definition of “Ridge Top”. Councilor Felton seconded the motion.

VOTE: Councilor Hill voted aye. Councilor Felton voted aye. Councilor Abrams voted aye. The motion carried.

15. RESOLUTIONS.

P. Resolution No. 2008-36 – Participation in the New Mexico Retiree Health Care Authority.

Ms. Mahalick stated that this is irrevocable. Once adopted the Town may not terminate membership, such as the Town’s participation in P.E.R.A. Ms. Muller stated the Town buy-in for the active employees is \$77,570.00. The interest rate is 7.50% and the Town would pay back approximately \$6414.00 over a 13 month period beginning January 2009. As soon as the NMRHCA Board approves membership, regular payroll deductions will begin. The Town will pay 1.3% and the employee will pay .65% per pay period. Mayor Stearley stated that one of the benefits of this is with this the Town will be able to join the Albuquerque Healthcare Plan that has reduced costs.

MOTION: Councilor Felton made a motion to approve Resolution No. 2008-36 - Participation in the New Mexico Retiree Health Care Authority. Councilor Abrams seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Felton voted aye.

Councilor Hill voted aye. The motion carried.

Q. Resolution No. 2008-38 – Approving Participation in the Program of the North Central New Mexico Economic Development District.

MOTION: Councilor Hill made a motion to approve Resolution No. 2008-38 – Approving Participation in the Program of the North Central New Mexico Economic Development District. Councilor Felton seconded the motion.

VOTE: Councilor Hill voted aye. Councilor Felton voted aye. Councilor Abrams voted aye. The motion carried.

16. ANNOUNCEMENT, CALANDER REVIEW & FUTURE AGENDA ITEMS.

R. Regular Council Meeting – June 18, 2008 @ 6:30 P.M.

S. Regular Council Meeting – July 2, 2008 @ 6:30 P.M.

T. Regular Council Meeting – July 16, 2008 @ 6:30 P.M.

Note: The Town Hall Offices will be closed on Friday, July 4, 2008 in observance of 4th of July Holiday.

17. ADJOURN.

MOTION: Councilor Hill made a motion to adjourn the meeting.

VOTE: All Councilors voted aye.

Mayor Stearley adjourned the meeting at 8:55P.M.

Honorable Robert Stearley, Mayor

ATTEST:

Estefanie B. Muller, Acting Administrator Clerk-Treasurer